PTO/SB/64 (09-06) Approved for use through 03/31/2007. OMB 0651-0031

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TION FOR REVIVAL OF AN APPLICATION FOR PATENT

Docket Number (Optional)

GLN-056 ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) First named inventor: Jean-Marc Wiederrecht Art Unit: 3682 Application No.: 10/521,037 Filed: November 24, 2003 Examiner: Terence Boes Title: GEAR PROTECTED AGAINST OVERLOADING Attention: Office of Petitions **Mail Stop Petition Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 1.Petition fee Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. ✓ Other than small entity – fee \$ 1500.00 (37 CFR 1.17(m)) 2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in _____(identify type of reply): the form of Response to Office Action has been filed previously on ______ is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ _____ has been paid previously on _____ is enclosed herewith.

[Page 1 of 2] This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. T	erminal disclaimer with disclaimer fee	
	Since this utility/plant application was filed or	n or after June 8, 1995, no terminal disclaimer is required.
	A terminal disclaimer (and disclaimer fee (37 for other than a small entity) disclaiming the PTO/SB/63).	7 CFR 1.20(d)) of \$ for a small entity or \$ required period of time is enclosed herewith (see
fi T	STATEMENT: The entire delay in filing the requireling of a grantable petition under 37 CFR 1.137(life trademark Office may require additional informate abandonment or the delay in filing a petition under subsections (III)(C) and (D)).]	red reply from the due date for the required reply until the b) was unintentional. [NOTE: The United States Patent and tion if there is a question as to whether either the er 37 CFR 1.137(b) was unintentional (MPEP 711.03(c),
		VARNING:
Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.		
	Heal D Kasa	8-DEZ-2006_
	Signature	Date
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	Hugh R. Kress	36,574
	Typed or printed name	Registration Number, if applicable
	Browning Bushman P.C.	713-266-5593
	Browning Bushman P.C. Address	713-266-5593 Telephone Number
	Address	Telephone Number
	Address 5718 Westheimer, Suite 1800, Houston, Te	Telephone Number
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application S.N. 10/521,037

For:

Gear Protected Against

Overloading

Commissioner for Patents

Alexandria, Virginia 22313-1450

P.O. Box 1450

Inventors:

Jean-Marc Wiederrecht

Filed: January 10, 2005

Group Art Unit: 3682

Examiner:

Terrence Boes

571.272-4898

Atty Dkt:

GLN-056/US

"EXPRESS MAIL" MAILING LABEL

EXPRESS MAIL NO.: EV 317505536 US

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the abovenumbered Express Mail label and sufficient postage affixed, and (b) addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

__ Signature <u></u>

Printed Name

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION

Hugh R. Kress

STATEMENT ACCOMPANYING

Sir:

This paper accompanies a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) in connection with the aboveidentified application and an associated fee payment pursuant to 37 C.F.R. § 1.17(m). No other fees are believed to be due in connection with this submission. However, if any other fees are determined to be due in connection with any aspect of this application, the Commissioner, Assistant Commissioner, and/or the Director of the U.S. Patent & Trademark Office is/are authorized to charge Browning Bushman Deposit Account No. 02-4345, referencing matter GLN-056US.

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Assignee hereby petitions for revival of the above-identified application, which was abandoned unintentionally. The facts are as follows:

- The undersigned attorney for Assignee has recently assumed responsibility of this application. Former counsel for Assignee have dissolved their practice, closed their office, and relocated to another state.
- An Office Action ("the Office Action") was issued on April 21, 2006 and was mailed to the former address of prior counsel for Assignee.
- As a consequence of the address to which the Office Action was mailed, there was some delay in receipt of the Office Action from prior counsel. Moreover, the Office Action was transmitted to the undersigned my means not customarily used for official U.S. Patent & Trademark Office mailings. Consequently, the Office Action was not subjected to the intake processes customarily applied to U.S. Patent & Trademark Office mailings by the undersigned and his firm. Thus, the due date for response to the Office Action was not properly taken note of as it would have been had it been received directly from the Patent Office.
- Through unintentional oversight, and without the reminders normally provided to the undersigned, a response to the Office Action was not timely submitted.

It is believed that the foregoing facts show that the abandonment of the application was wholly unintentional pursuant to 37 C.F.R. § 1.137(b)(3).

A Response to Office Action fully responsive to the Office Action is is submitted concurrently herewith.

Revival of the application and entry of the Amended Response is respectfully requested.

Respectfully submitted,

Date: 8- DEL-200L

ATTORNEY FOR ASSIGNEE

Hugh R. Kress

Reg. No. 36,574

BROWNING BUSHMAN P.C.

5718 Westheimer

Suite 1800

Houston, Texas 77057

713.266.5593 (voice)

713.266.5169 (fax)